

## LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

### Planning/Zoning, Land Design & Development Meeting

Tuesday, September 1, 2009

2:05 P.M.

Third Floor, City Hall

**Present:**  
**Chair:** CM Owen  
**Vice Chair:** CM Stuckel  
**Members:** CM Ward-Pugh, CM Hamilton, CM Flood,  
CM Jon Ackerson and CM Heiner

**Also Present:** CM Welch

Chairman Owen began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

### Pending Legislation

[O-143-08-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO PDD PLANNED DEVELOPMENT DISTRICT ON PROPERTY LOCATED AT 5800, 5802 & 5900 S. WATTERSON TRAIL, CONTAINING A TOTAL OF 11.9 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 10067\).](#)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

Motion to approve made by Cheri Bryant Hamilton and seconded by Hal Heiner.

**Discussion:** Dawn Warrick, DPDS, spoke to the item giving a brief history of the case. The Planning Commission hearing was held on August 6, 2009. Two spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Peden's District. A power point presentation was given. The following were items of discussion and concern:

- Historical Connection - occupied by a blacksmith and his family
- Proposed office, retail, and restaurant
- Landscaping and buffering
- Surrounded by residential
- Lot southeast of site recently rezoned to CN
- Process for a Planned Development District
- Traffic Impact
- Storm water
- Retention Basin
- Access
- Improvements to rights-of-way will be done
- Fern Creek Small Area Plan and Hurstbourne Parkway Corridor Study
  - Recommends South Watterson Trail be dedicated as a Scenic Corridor and Hurstbourne Parkway to have a bike lane
- The proposal meets 44 of the 45 applicable 2020 Guidelines
- 2 acres of land in tree canopy protection area
- Pedestrian oriented development
- Maximum height of structures is 45 feet
- Density
- Public Transportation
- Sidewalks
- 8 foot high by 50 feet wall to add to screening

This item was approved and sent to **Old Business**.

VOTING RESULTS: For: 7; Against: 0; Abstain: 0; Absent: 0

For: Hal Heiner, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Jon Ackerson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: (None)

[O-147-08-09 AN ORDINANCE CORRECTING THE EXHIBIT ATTACHED TO ORDINANCE 123, SERIES 2009, AND PERTAINING TO LOUISVILLE METRO PLANNING COMMISSION CASE NO. 12985.](#)

**Status:** In-Committee

**Committee:** Planning/Zoning, Land Design & Development

**Primary Sponsor:** Tom Owen

Motion to approve made by Glen Stuckel and seconded by Madonna Flood.

**Discussion:** Dawn Warrick, DPDS, spoke to the item stating this is for a correction to the Exhibit regarding dates for plans. The minutes were correct but the Exhibit was not.

This item was approved and sent to **Old Business** due to an abstention from Councilman Heiner.

VOTING RESULTS: For: 6; Against: 0; Abstain: 1; Absent: 0

For: Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Jon Ackerson, Madonna Flood

Against: (None)

Abstain: Hal Heiner

Absent: (None)

[R-171-08-09 A RESOLUTION DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE METRO COUNCIL ON A CHANGE IN ZONING FOR PROPERTY LOCATED GENERALLY TO THE SOUTHEAST OF THE INTERSECTION OF SOUTHSIDE DRIVE AND LILLIAN WAY AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A HERETO.](#)

**Status:** In-Committee

**Committee:** Planning/Zoning, Land Design & Development

**Primary Sponsor:** Vicki Aubrey Welch

Motion to approve made by Tina Ward-Pugh and seconded by Hal Heiner.

**Discussion:** Dawn Warrick, DPDS, spoke to the item stating the properties in this area are residential, which is a non-conforming use for an Industrial Form District. Previously residential was allowed in the Industrial Form District and now it is not. This resolution will direct the Planning Commission to hold a public hearing and forward a recommendation to the Metro Council regarding rezoning this area so that it can be changed to a conforming district.

CM Welch is in favor of this public hearing.

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 7; Against: 0; Abstain: 0; Absent: 0

For: Hal Heiner, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Jon Ackerson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: (None)

[R-101-06-09 A RESOLUTION DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION TO THE COUNCIL ON AN AMENDMENT TO SECTION 4.4.1 OF THE LAND DEVELOPMENT CODE CONCERNING PORTABLE STORAGE DEVICES.](#)

**Status:** In Committee - Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden

**Discussion:** This item remained **Tabled** in Committee.

Motion to adjourn made by Cheri Bryant Hamilton and seconded by Tina Ward-Pugh. Without objection the meeting adjourned at 2:50 P.M.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on September 10, 2009.**

**KQG**